



City Attorney's Office

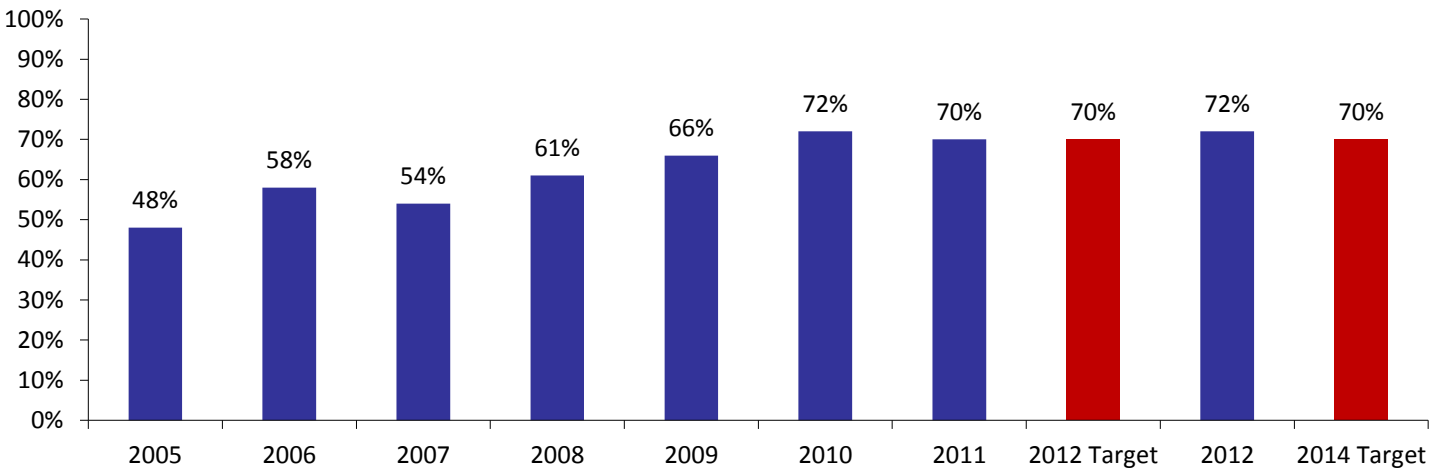
January 29, 2013

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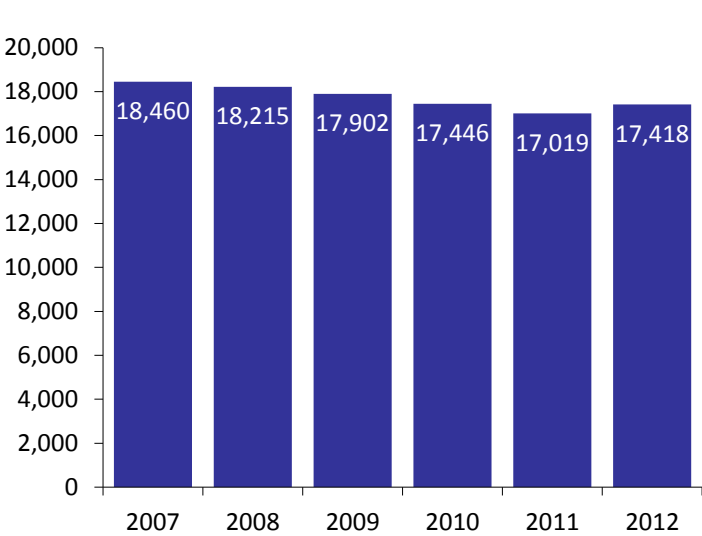
City Attorney

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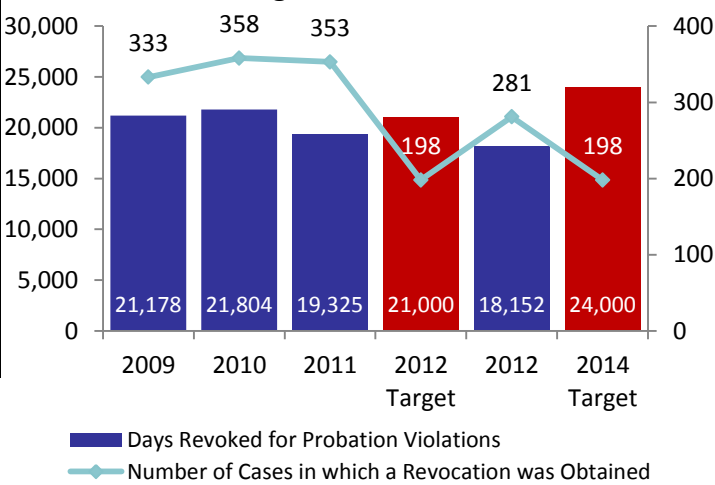
Conviction Rate on Domestic Violence Cases



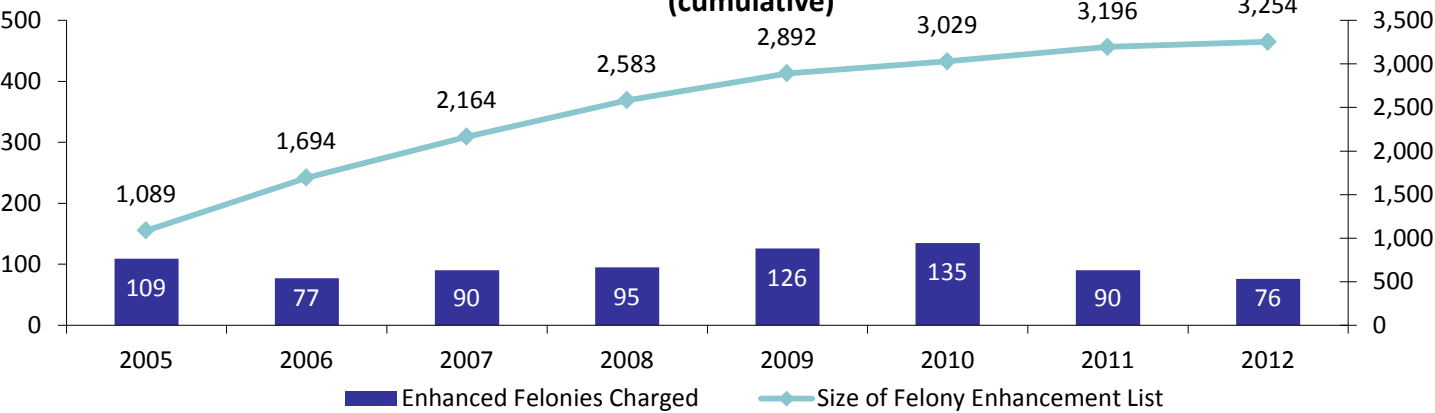
Domestic Violence Related Calls to 911



Number of Revocations Obtained and Days Revoked for Probation Violations Following a Domestic Incident



Enhanced Domestic Violence Felonies Charged by Hennepin County after Minneapolis City Attorney's Office Referral and Number of Individuals on Felony Enhancement List (cumulative)



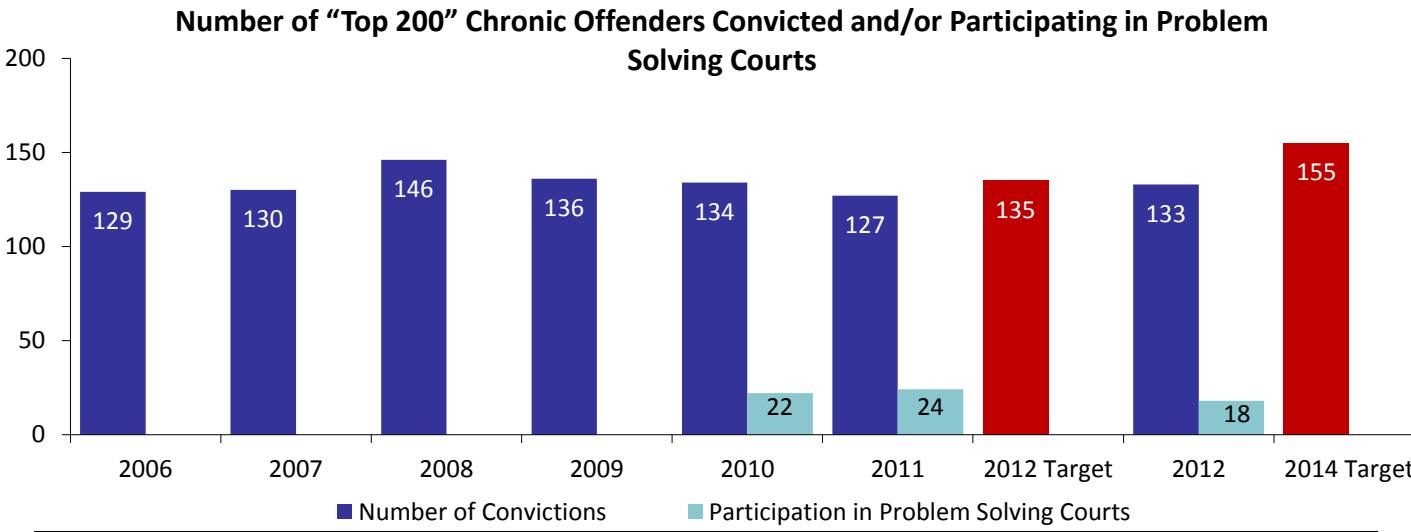
Note: Since 2004, the CAO has had 902 felony level offenses charged by the Hennepin County Attorney's Office following a referral by the CAO for a case which was originally identified by MPD as a misdemeanor level offense.

Why are these measures important?

Effective intervention at the earlier stages of the cycle of domestic violence prevents more serious crimes and saves lives.

What strategy (or strategies) will you use to achieve this goal?

Maintain a specialized domestic violence team; continue to focus on improved evidence gathering and compliance with the MPD evidence gathering protocol; maintain and seek to expand domestic advocate and victim witness resources as well as train criminal justice staff and the community on domestic violence issues and related matters; maintain the probable cause felony enhancement list; and continue to seek appropriate sanctions for offenders and jail time for defendants who violate the conditions of their probation.



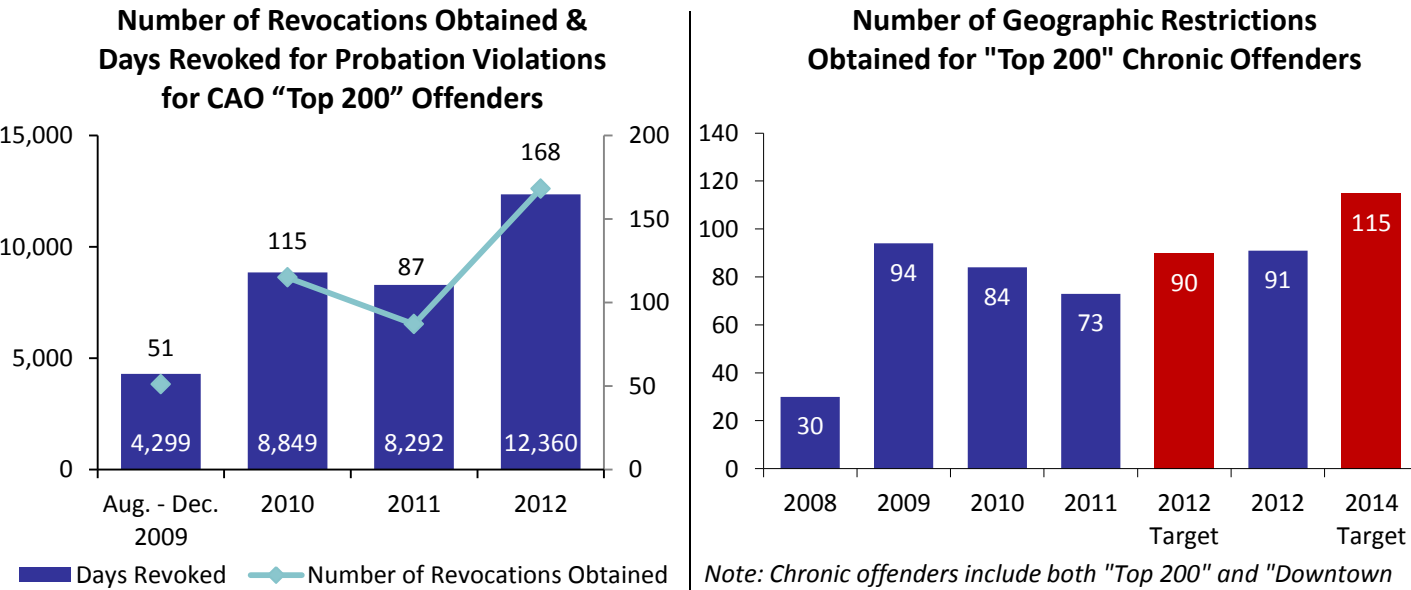
Why is this measure important?

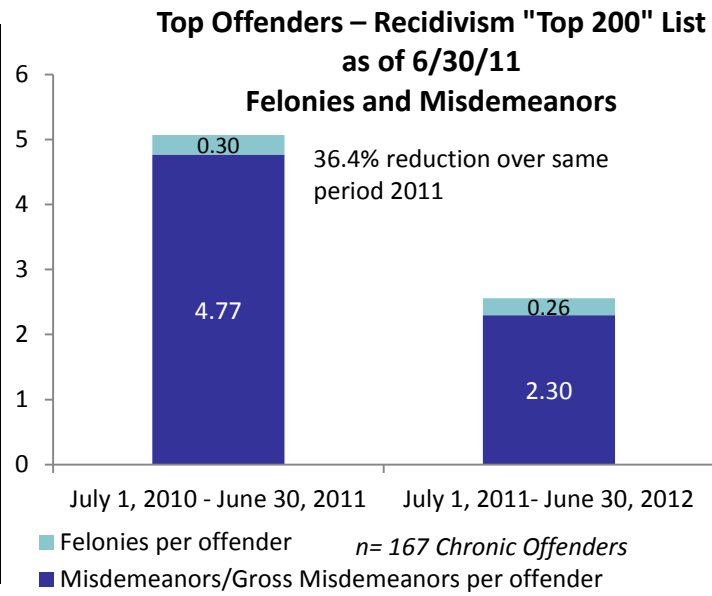
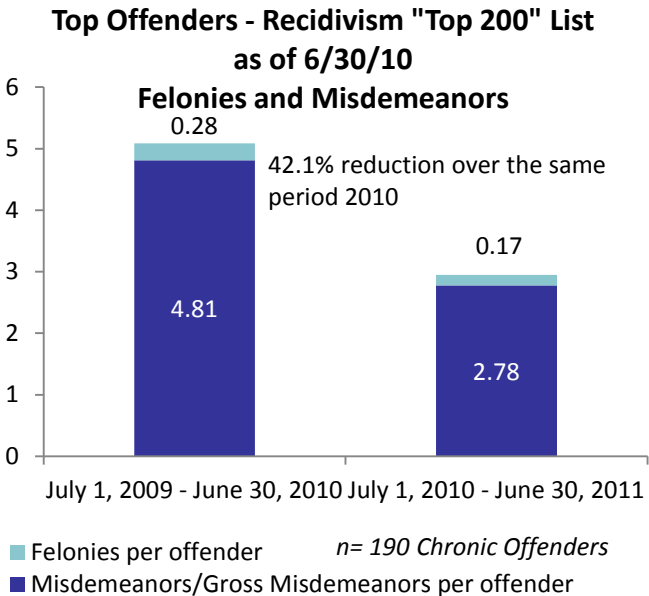
The "Top 200" chronic offenders commit a disproportionately high number of livability crimes in the City of Minneapolis.

What will it take to achieve the targets?

Continued coordination with the MPD and the community to identify chronic offenders; continuation of intensive CAO prosecution model to aggressively prosecute chronic offenders; continued engagement with our court watch and neighborhood groups to help achieve greater offender accountability and more active probation supervision for chronic offenders; continued engagement by the CAO's community attorneys with neighborhood residents, business, service providers and community organizations and with MPD; and continued expansion of prosecution tools, such as the trespass enhancements list, geographic restrictions and community impact statements.

In 2013, the Hennepin County Department of Corrections will assign a probation officer to actively supervise defendants on the Top-200 list. This probation officer will carry a case load of approximately 40-50 defendants. The probation officer will be responsible for monitoring the defendant's compliance with probation conditions, make regular court appearances and work with various placements, agencies and service providers in the community to structure terms of probation to tailor probation conditions to the specific defendant's needs (such as chemical health issues, mental health issues or housing).



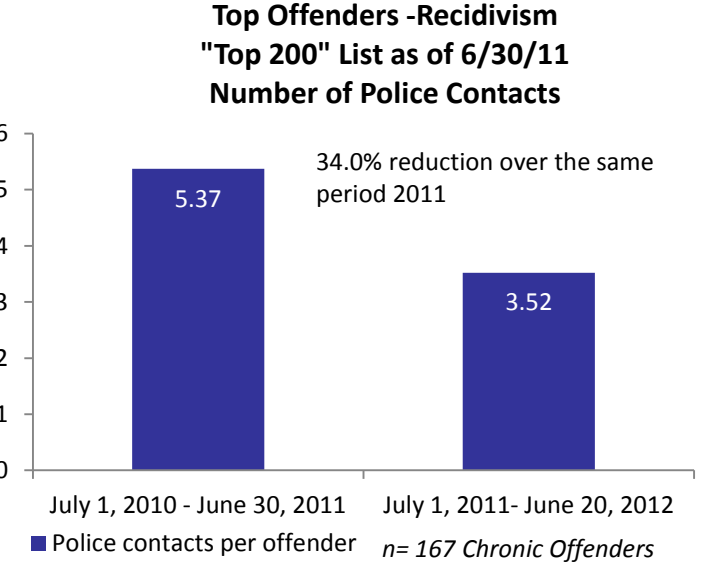
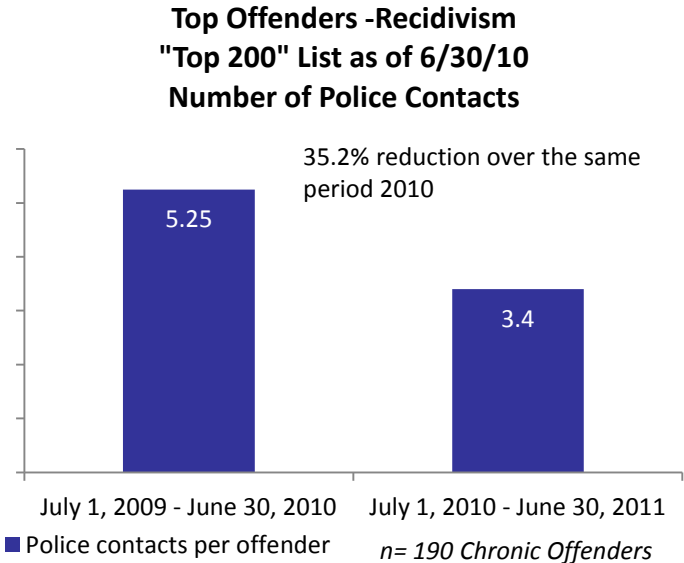


Why is this measure important?

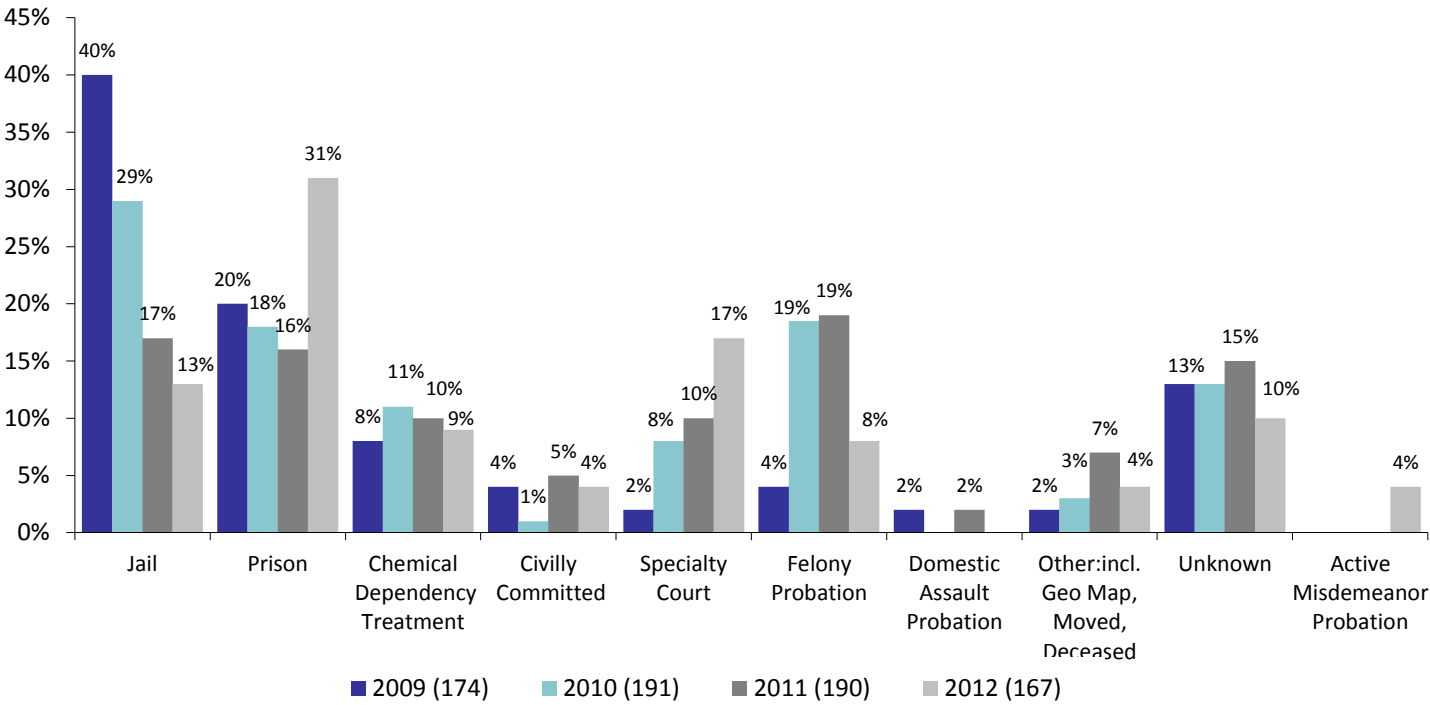
This measure takes a snapshot of the offenders on the CAO “Top 200” Chronic Offender list and tracks the number of criminal charges and arrests in the twelve months before and the twelve months after. A reduction in the rate of new charges and arrests in the twelve months after offers a measure of the effectiveness of the top offender program. The “Top 200” are included on the list because of their repeat livability crime offenses. A significant reduction in numbers of new charges and arrests reduces the negative impact of these offenders on communities and saves law enforcement resources. Maintaining the current rate of reduction for new cases would seem to be a reasonable target for the near term.

What will it take to achieve the targets?

Continuation of the Special Prosecution Team to focus on chronic offenders – to both aggressively prosecute new offenses as well as seek appropriate sanctions when offenders violate their probation; commitment from Hennepin County District Court to continue the community court calendar and the problem solving courts that aid our chronic offenders; continued partnership with other community resources such as St. Stephen’s and other chemical dependency and mental health treatment providers; collaborate with the new Top-200 probation officer to obtain active probation supervision of select chronic offenders.



Felony Probation/Conditional Release

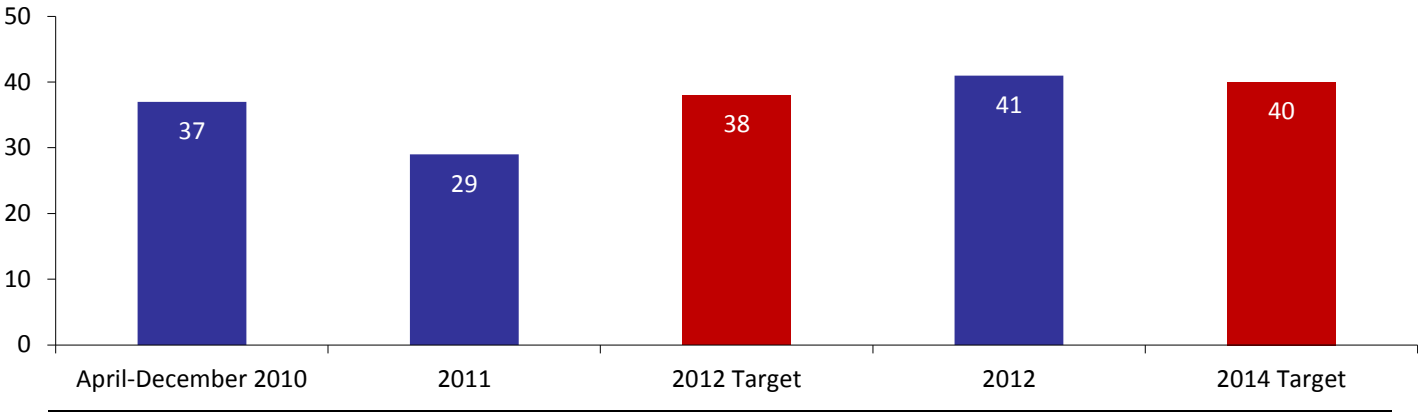


Why is this measure important?

The CAO started tracking the reasons for the reduction in recidivism among our chronic offenders in 2009. In 2009, the CAO reported that 119 of the 191 offenders measured reduced their recidivism (63 percent); in 2010, 99 of the 174 offenders measured reduced their recidivism (57 percent); in 2011, 96 of the 190 offenders measured reduced their recidivism (51 percent) ; and in 2012, 71 of the 167 offenders measure reduced their recidivism (43 percent).

As with the previous three years, the top reason for the reduction in recidivism by a chronic offender was that he or she was incarcerated in prison or local jail/workhouse. In 2012, the second leading reason was that the chronic offender was participating in a specialty court, with active supervision. We also saw that continued participation in programming, treatment or specialty courts helps to reduce recidivism among chronic offenders. Of our 167 chronic offenders, 56 offenders participated in chemical dependency treatment, 22 offenders received treatment for mental health issues and 14 offenders worked with St. Stephen’s to address housing needs. While incarceration is an effective tool, it is also quite costly. The CAO will continue to work with the new “Top 200” probation officer to utilize tools such as chemical dependency and mental health treatment and available housing services to reduce recidivism among these offenders in a more cost-effective way.

Number of "Downtown 100" Chronic Offenders Convicted



Why is this measure important?

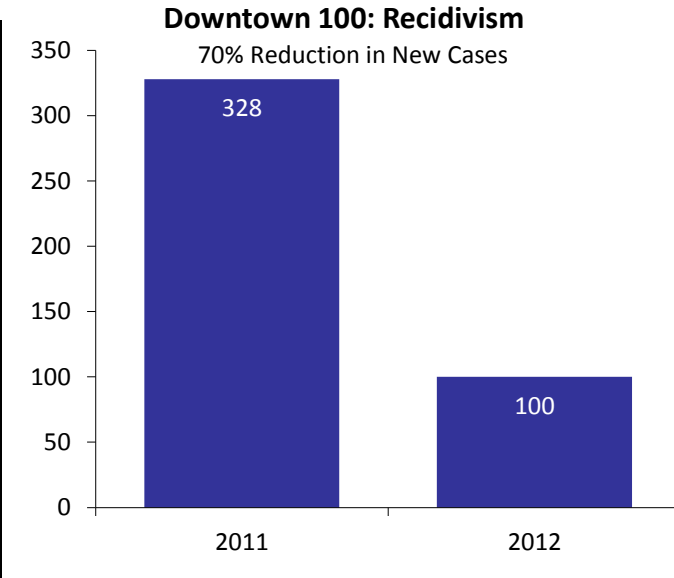
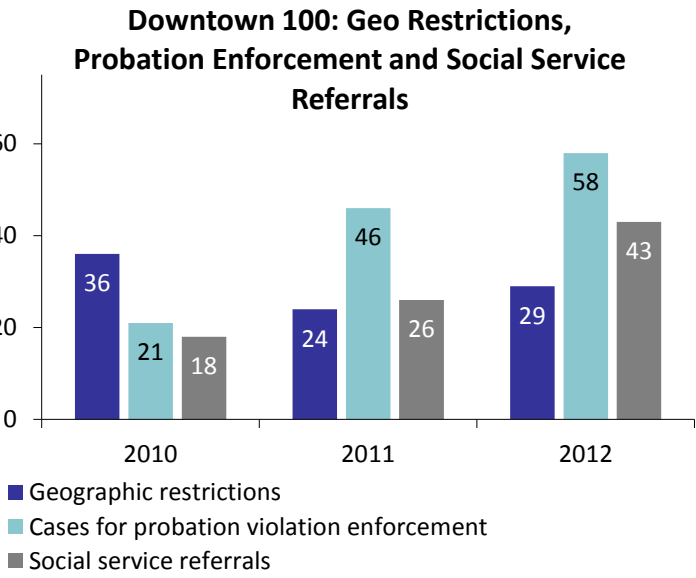
The “Downtown 100” is an innovative program with a focus on the fifty most chronic drug, property and livability crime offenders in downtown Minneapolis. It involves a collaborative approach working with the DID, Downtown SafeZone, neighborhood representatives, social service providers, the MPD, the County Attorney’s Office, Community Probation and our office. The goals of the initiative are to increase public safety in the downtown area and to promote long-term solutions for chronic offenders through effective sanctions and social service referrals as appropriate.

The data shows not only a significant reduction in number of crimes committed by the offenders in the core downtown area, but that there has also been a reduction in surrounding neighborhoods. This has been a concern to surrounding neighborhoods as there is always a fear that we are pushing the targeted Downtown 100 offenders out of downtown and into other parts of Minneapolis. Yet the data shows that in addition to the 70% reduction in crime in the Downtown Improvement District, the Downtown 100 offenders committed 53% *less* crimes in the surrounding precincts then they had the previous year. As such, we can show that the programs of the Downtown 100 had the additional peripheral effect of reducing crime in surrounding neighborhoods instead of displacing it from downtown.

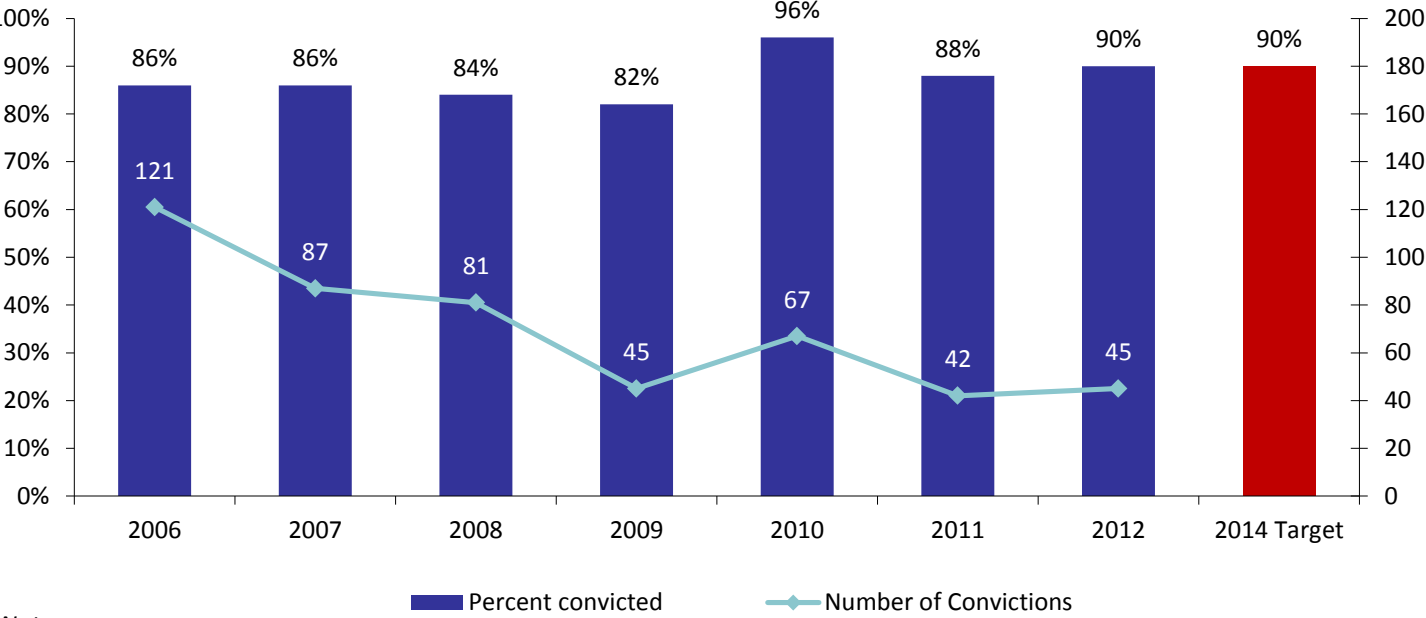
What will it take to achieve the target?

Continuation of the “Downtown 100” Team to focus on chronic offenders in downtown Minneapolis – this will include aggressively prosecuting new offenses as well as seeking appropriate sanctions when offenders violate their probation; continuing involvement in problem solving courts that aid our “Downtown 100” offenders; and continued partnership with other community resources such as DID, Downtown Safe Zone, St. Stephen’s and other chemical dependency and mental health treatment providers.

Additional Data on Next Page...



Gross Misdemeanor Weapons Cases Charged by the City Attorney's Office that Result in Conviction



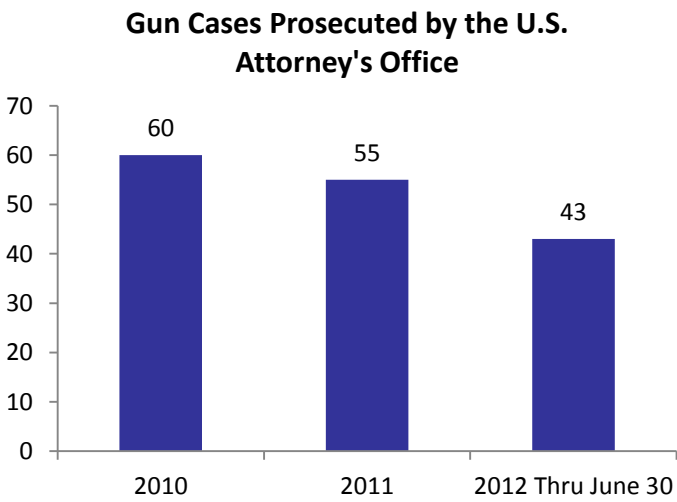
- Notes:
- 1) In April 2009, the U.S. Supreme Court issued a decision that limited the ability of the police to search for weapons in vehicles incident to an arrest; this decision has resulted in lower numbers of cases referred for prosecution.
 - 2) Data for 2008-2010 updated February 2012

Why is this measure important?

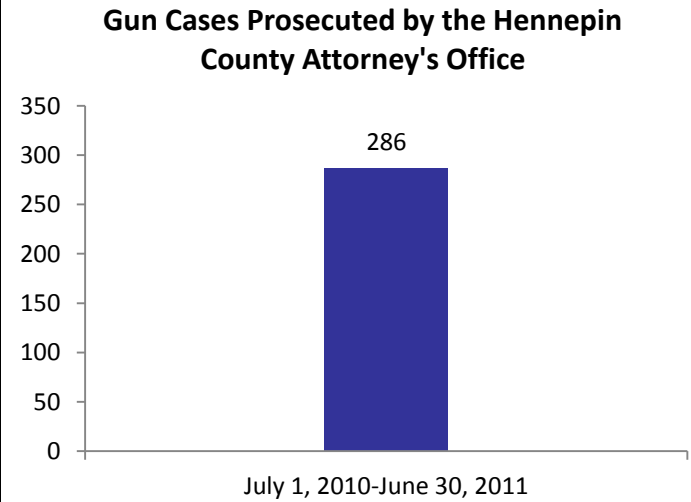
Conviction of persons possessing guns reduces the number of weapons on the street, thereby increasing public safety.

What will it take to achieve the targets?

Success in prosecuting offenders charged with a gross misdemeanor weapons offense is dependent on a continued partnership with MPD to insure strong report writing and evidence gathering. The Special Prosecutions Team continues to prosecute all weapons cases handled by the CAO. This allows the CAO to continue to develop expertise on these issues and aggressively prosecute these offenders.

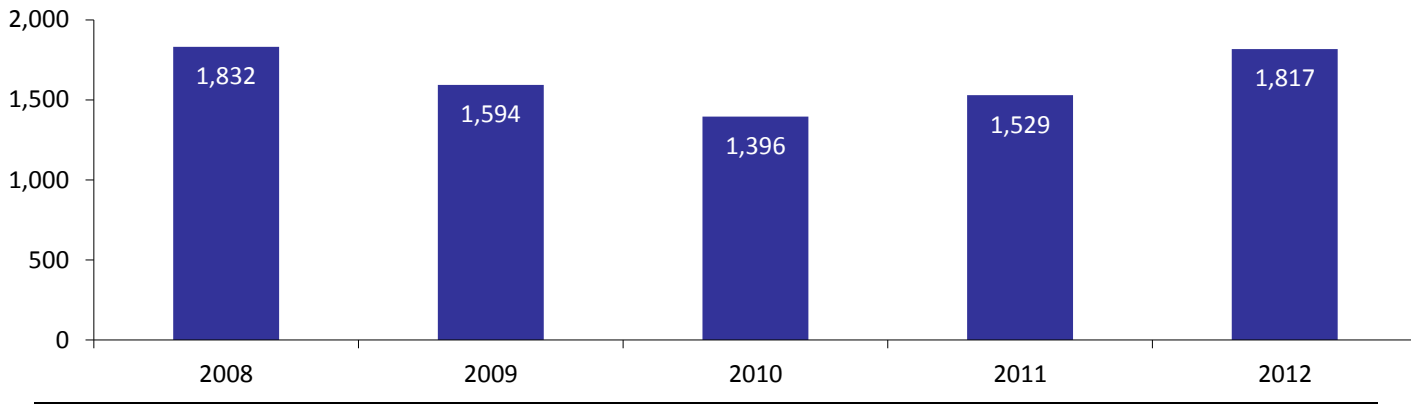


Note: 2012 end of year data is not currently available.
Results Minneapolis: City Attorney



Note: 2012 end of year data is not currently available.

Driving under the Influence of Alcohol or Drugs: Cases Referred to the CAO



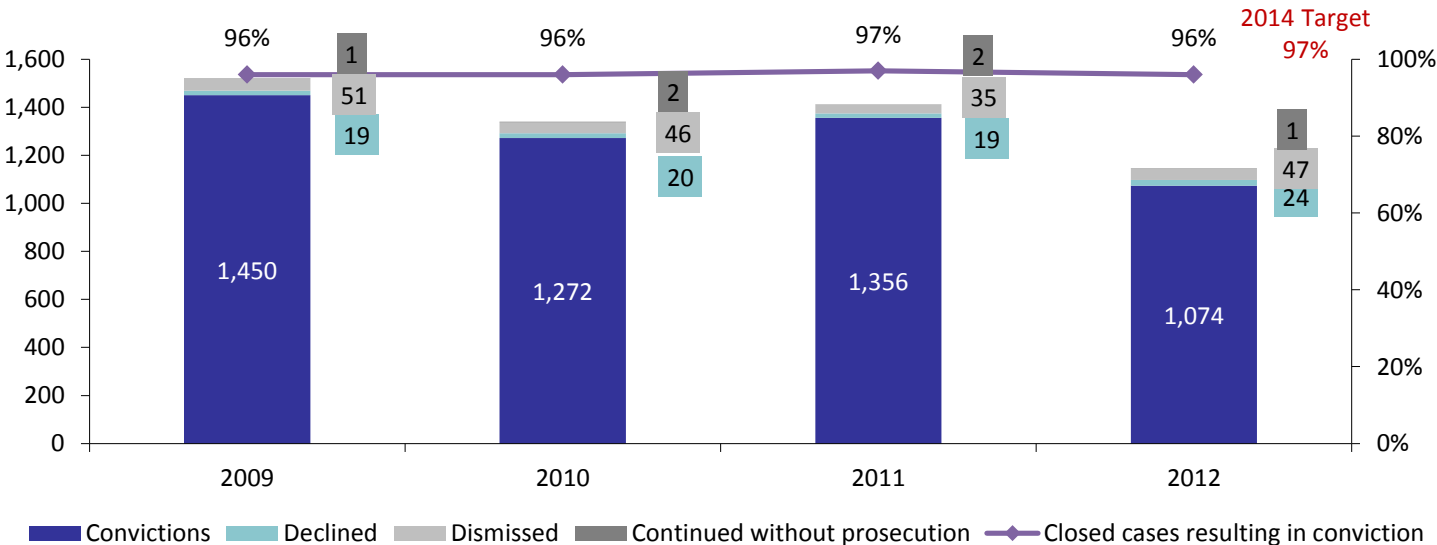
Why is this measure important?

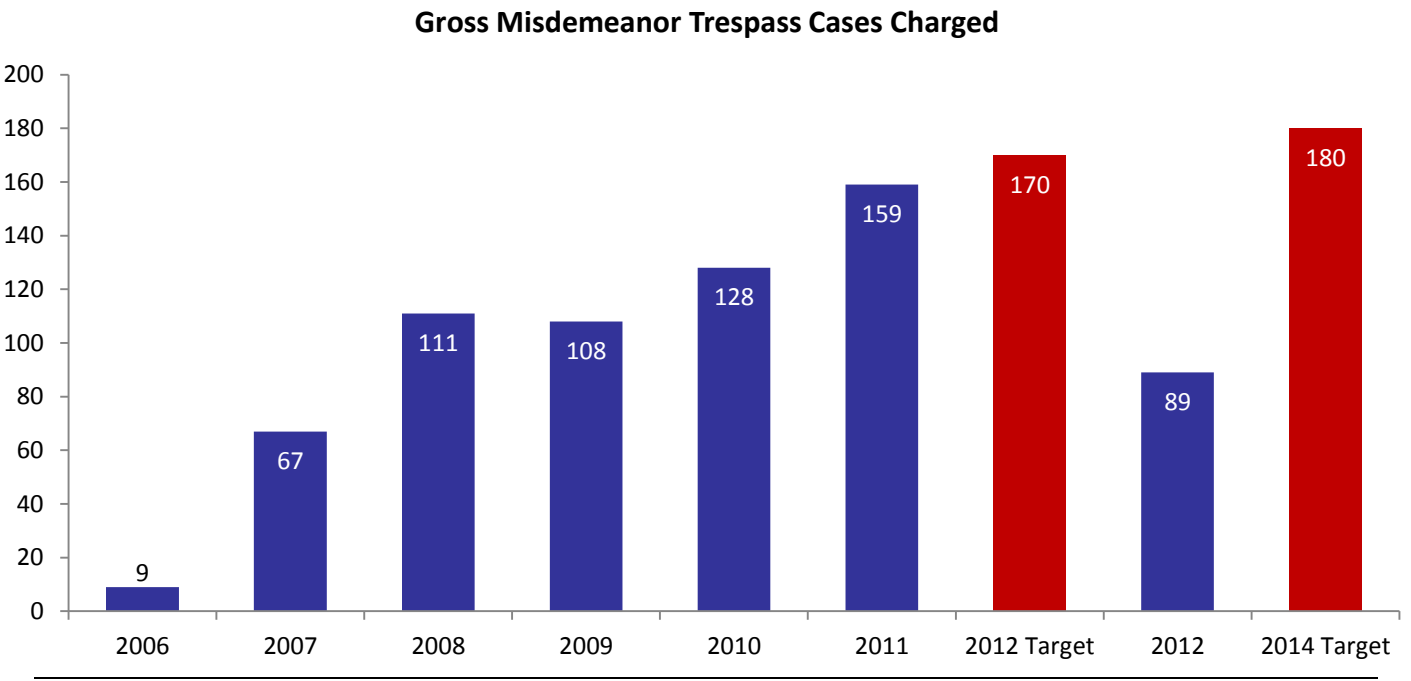
Driving under the influence of drugs or alcohol continues to create a major risk to public safety. Between 2009 and 2011 there were 92,542 DWIs charged statewide. Of those cases, 860 involved serious injuries and 344 involved a fatality. As of 2012, Hennepin County remains the number one county for DWI offenses. Prosecuting drivers who are under the influence of drugs or alcohol continues to be one of the most important public safety functions of the CAO’s criminal division.

What will it take to achieve the targets?

Maintaining a high conviction rate is important to the integrity of the deterrence scheme of our impaired driving laws. It is important to continue to monitor our case outcomes as well as track the number of cases presented by law enforcement and, of those cases, the number we have charged or declined. It is also important that our office continues to be aggressive in opposing new legal challenges brought by the defense bar, particularly recent challenges to the testing methods. On February 8, 2012, the CAO received a favorable ruling from the Minnesota Supreme Court in a case challenging the methodology for urine testing of alcohol levels in DWI cases. Also, on June 27, 2012, the Minnesota Supreme Court affirmed a previous ruling by the Court of Appeals denying defense challenges to the accuracy of the source code data used to program the Intoxilyzer, an instrument used to test breath-alcohol levels in DWI cases. In 2012, the CAO handled 97 cases where there had been a Source Code challenge. Of those 97 cases, 69 cases were resolved.

Driving Under the Influence of Alcohol or Drugs: Final Case Outcomes





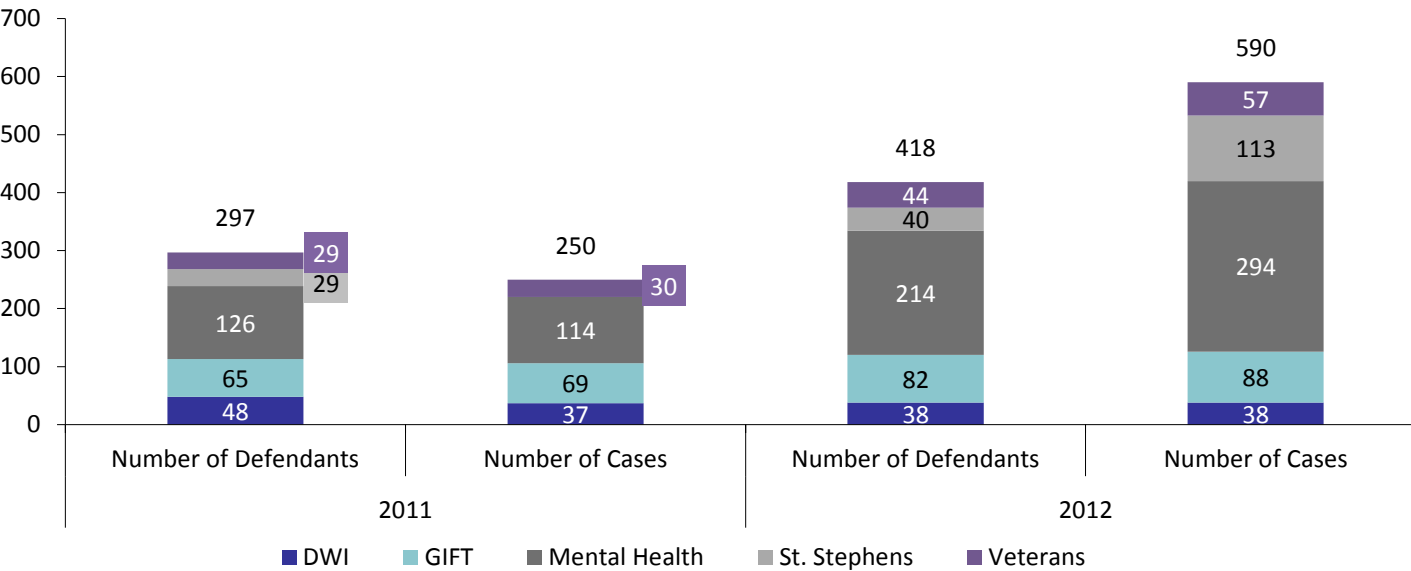
Why is this measure important?

In August 2006, the trespass law was amended to allow prosecutors to enhance a misdemeanor trespass to a gross misdemeanor charge for repeat offenders. The CAO has made effective use of this statute, making sure that enhanced charges are brought for eligible offenses. The CAO maintains and provides to police a list of the repeat offenders who qualify for gross misdemeanor trespass enhancement.

What will it take to achieve the targets?

To achieve our goals, the CAO continues to emphasize to prosecutors the importance of reviewing trespass cases prior to all proceedings for the possibility of enhancement. The CAO has also trained prosecutors to charge trespass offenses under the state statute instead of the Minneapolis ordinance when possible, as convictions under the ordinance may not be enhanced. Finally, our community attorneys continue to work with law enforcement agencies to remind officers to review the trespass enhancement list at the jail and place gross misdemeanor probable cause holds on those defendants whose trespass offenses are eligible for enhancement. All of these measures represent important steps towards achieving our goals in this area.

Minneapolis City Attorney's Office Participation in Problem Solving Courts



Why is this measure important?

The MCAO is an active participant in Hennepin County’s problem solving courts including, DWI, GIFT (prostitution), Mental Health, St. Stephen’s (homelessness) and Veterans Courts. Problem solving courts offer increased resources and services to the defendants to better address the underlying behavior behind the criminal conduct and achieve longer term law abiding behavior.

What will it take to make progress in this area?

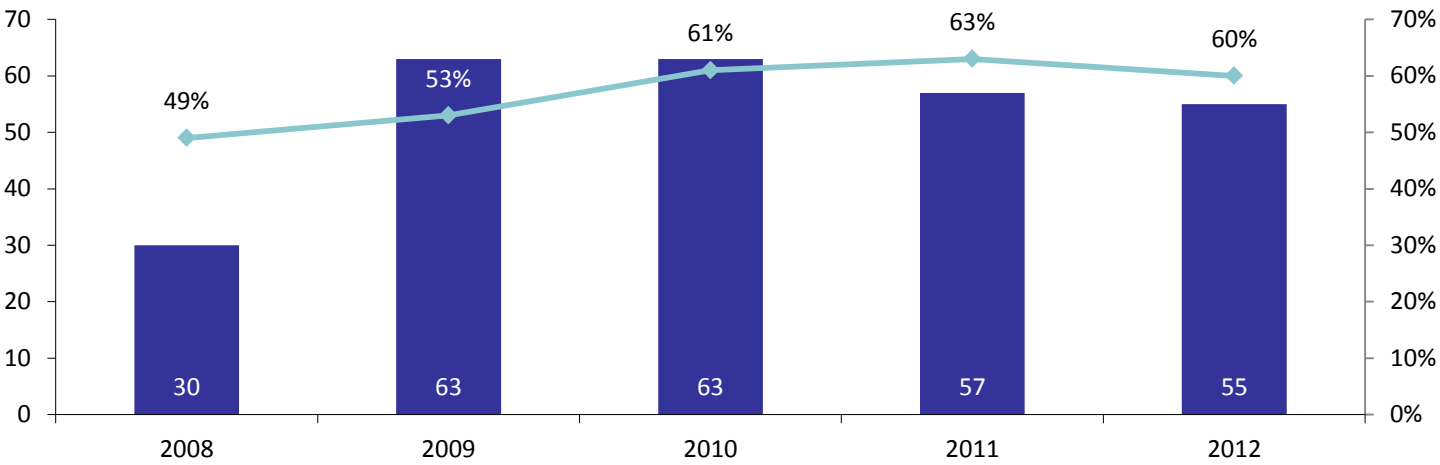
The CAO will need to proactively seek referral of all appropriate cases to the problem solving courts and continue to staff the problem solving court calendars. Adequate funding and staffing of the courts must be maintained and increased when needed to insure court capacity.

Driving Diversion Program

In 2011, the City of Minneapolis implemented a diversion program for individuals who had outstanding violations that resulted in suspension or revocation of their driver’s license. The program, referred to as the Driving Diversion Program (the “DDP”), provides a four hour course on self-development, financial management and life skills and helps the individual develop a payment program to become current with fines and fees. The program allows eligible individuals to obtain a valid license while they are participating in the program instead of having to wait until all fines and fees are paid. This program provides a better alternative and improves public safety by providing support for those individuals who want to be legal drivers so that they can escape the cycle of continuing citations and increasing debt owed for fines and fees. While participating in the program, individuals are allowed to obtain a valid license so that they can become legal drivers.

Since implementing the program in Minneapolis, 1,355 individuals with Minneapolis driving after revocation or driving after suspension cases have entered the program. The City of Minneapolis has received \$46,534.99 in outstanding fines and fees through the DDP (\$10,535.99 collected in 2011; \$34,000 collected in 2012; and \$2,000 collected in 2013 to date).

Criminal Division:
Trials to Verdict & Conviction Rate at Trial



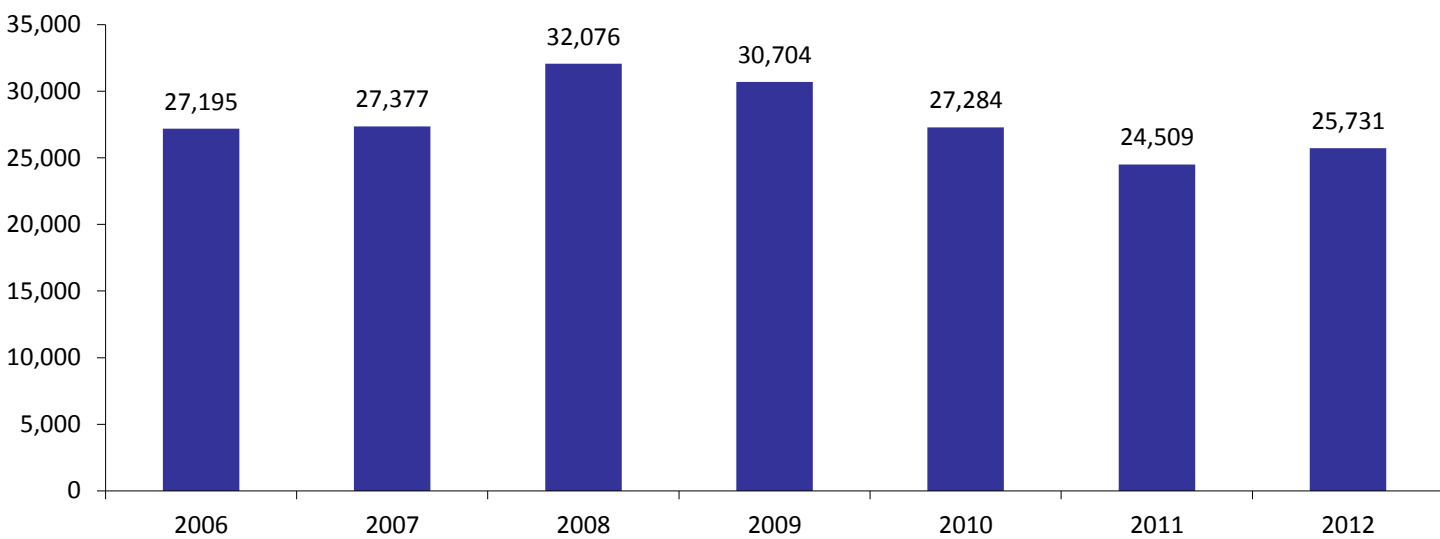
Why is this measure important?

This measure shows the number of cases taken to trial and the conviction rate at trial compared to prior years. The CAO is committed to aggressively prosecuting cases so that Minneapolis can truly be called a safe place to call home for both community members and victims who are impacted by crimes prosecuted by the CAO. With the CAO large caseload, it is important that defendants, defense attorneys, and the Courts see that CAO prosecutors are willing to try cases and are successful at trial.

What will it take to achieve the targets?

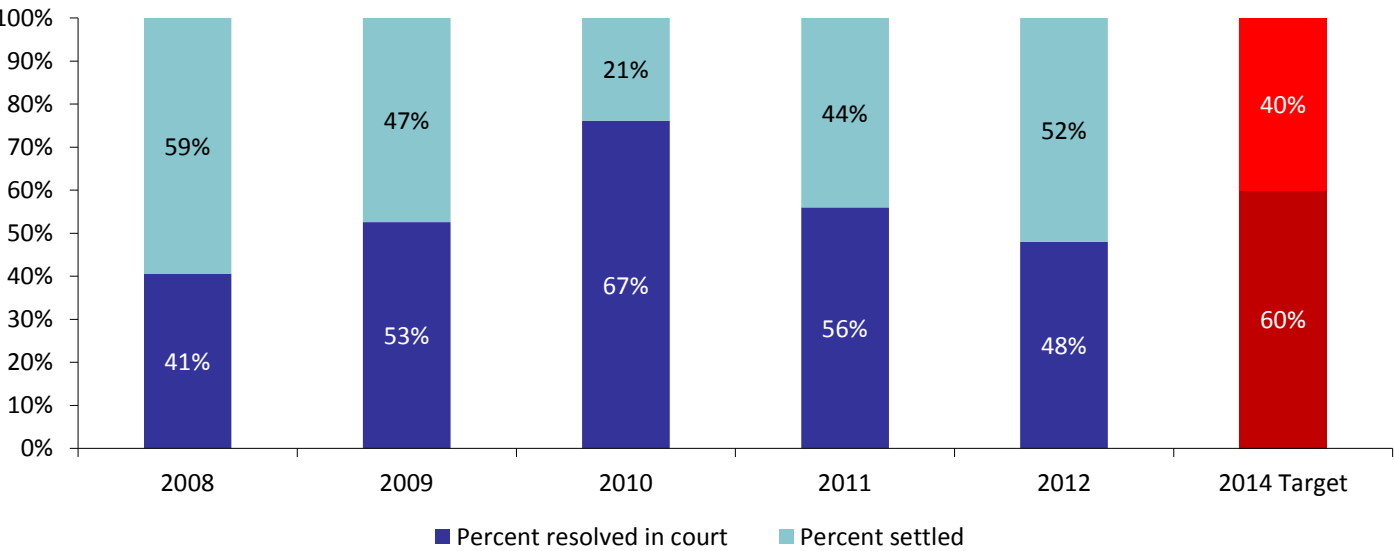
The CAO will continue to aggressively prosecute misdemeanors and gross misdemeanor crimes. The CAO will make sure prosecutors attend trial training seminars and conferences designed to improve their trial skills. The continued support of paralegals and victim/witness assistants in trial preparation and victim/witness contact is also key to maintaining the CAO’s ability to aggressively take cases to trial.

Criminal Division Caseload



Notes:
1) The ABA recommended caseload for an office of 20 prosecutors is 12,000
2) 2012 case data includes some estimated data for end of year 2012

Percent of Civil Court Cases Settled



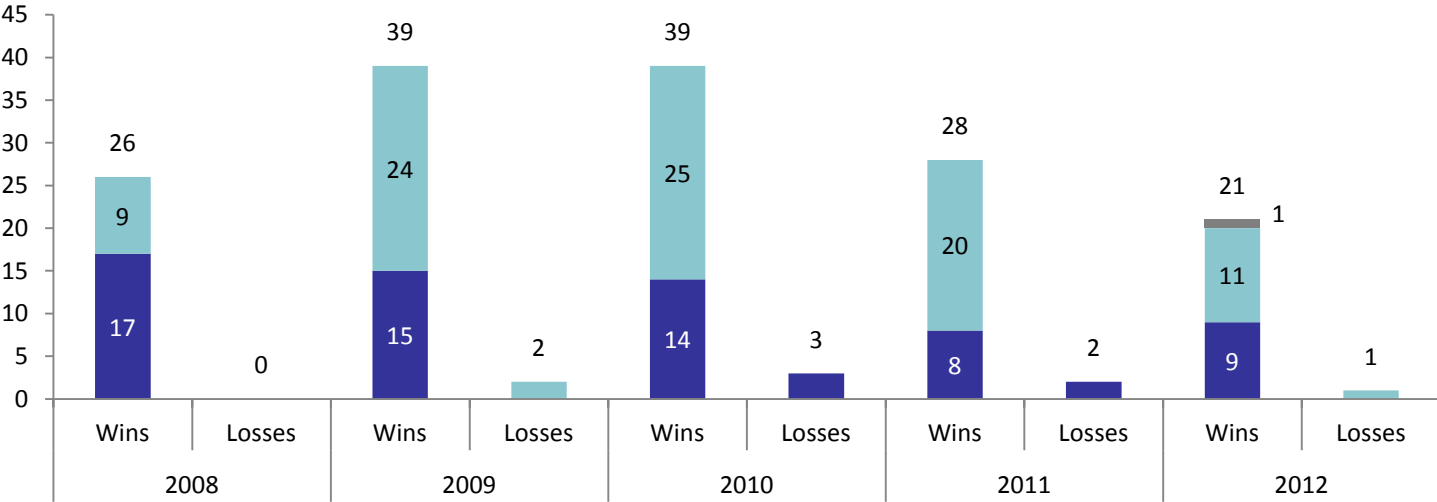
Why is this measure important?

This measure is one metric to measure the performance of the CAO in risk management of litigation matters. Too high a ratio of settlements to cases resolved in court would eventually lead to higher settlement numbers and a perception among the bar that the CAO is not able or willing to take matters through trial. This is an important measure to review periodically to assess performance of our litigation efforts.

What will it take to achieve this target?

Thorough case preparation, skilled litigation attorneys and staff and adequate staffing levels and resources are necessary to be able to seek successful resolutions in court versus settlement. Continued, systemic risk management efforts aimed at liability prevention are also important.

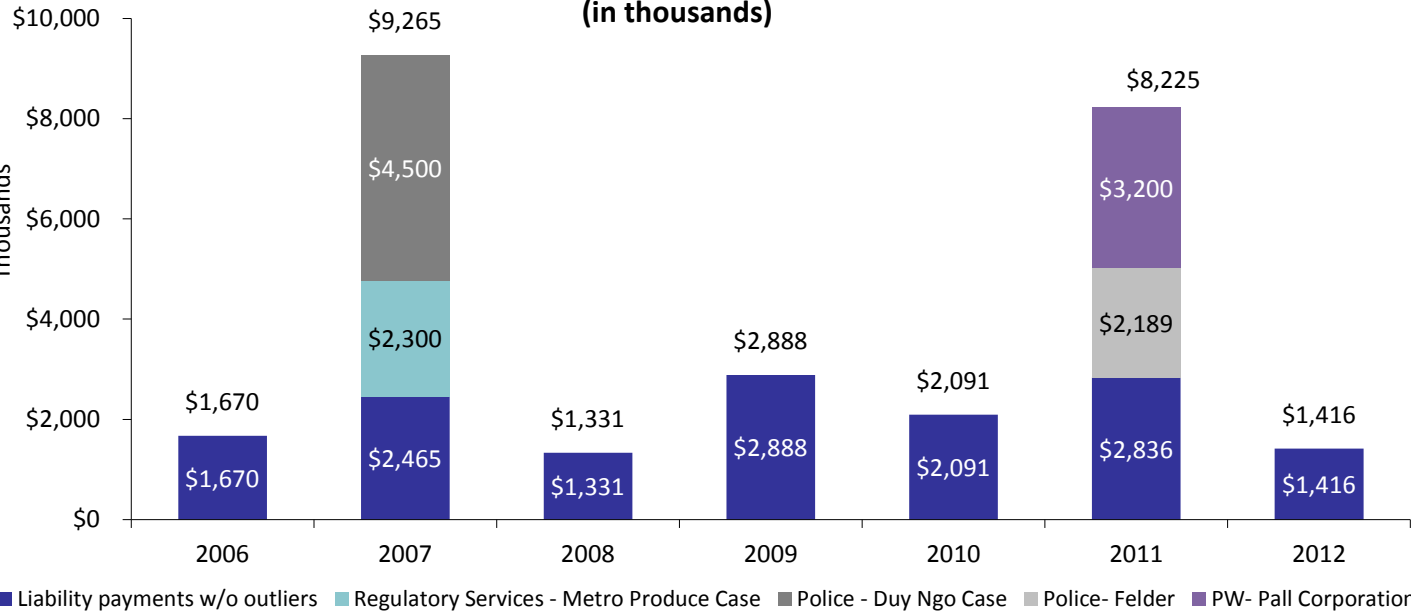
Civil Cases Resolved in Court (Not Settled) Wins and Losses



Notes:
2008: 6 cases taken through trial/20 cases resolved through summary judgments/dismissals
2009: 7 cases taken through trial/34 cases resolved through summary judgments/dismissals
2010: 7 cases taken through trial/39 cases resolved through summary judgment/dismissals
2011: 8 cases taken through trial/22 cases resolved through summary judgment/dismissals
2012: 21 cases resolved through summary judgment/dismissals

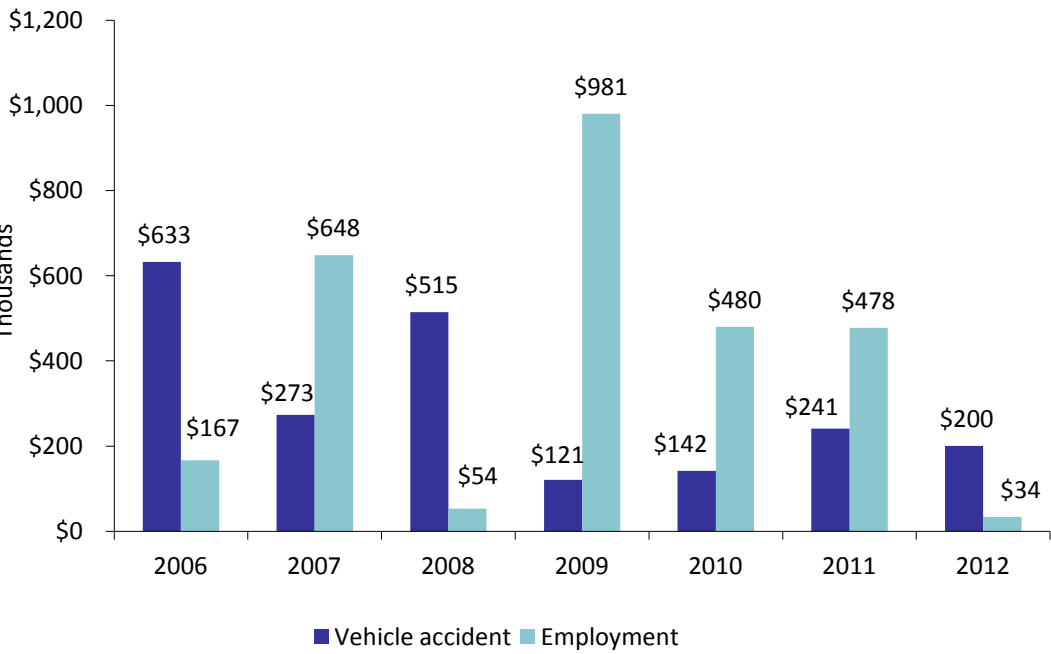
■ Minnesota Court of Appeals
■ Hennepin County District Court
■ US District Court

Liability Payouts 2006-2012
(in thousands)



Category	2006	2007	2008	2009	2010	2011	2012
Lawsuit Judgments for Plaintiff	\$3,500	\$0	\$22,291	\$3,075	\$700,161	\$2,485,619	\$5,181
Settlements	\$1,666,409	\$9,265,492	\$1,308,647	\$2,885,070	\$1,390,488	\$5,739,565	\$1,410,702
Total liability payments	\$1,669,909	\$9,265,492	\$1,330,938	\$2,888,145	\$2,090,649	\$8,225,18	\$1,415,883

City Vehicle Accident and Employment Liability Payouts



2011
Employment:
Brendan Schram (MPD)
\$362,500

2009
Employment:
Arrandondo, et al. v. City (MPD)
\$740,000
Melissa Chiodi v. City (MPD)
\$118,404

2008
Vehicle Accidents:
Judy Mae Rye v. City (Public Works)
\$315,782

2007
Employment:
Doslall, et al. v. City (Reg. Services)
\$550,000

Vehicle Accidents:
Cataldo, Alfredo v. City (MPD)
\$100,000

2006
Vehicle Accidents:
Thompson, Kristin (MPD)
\$205,000

Why are these measures important?

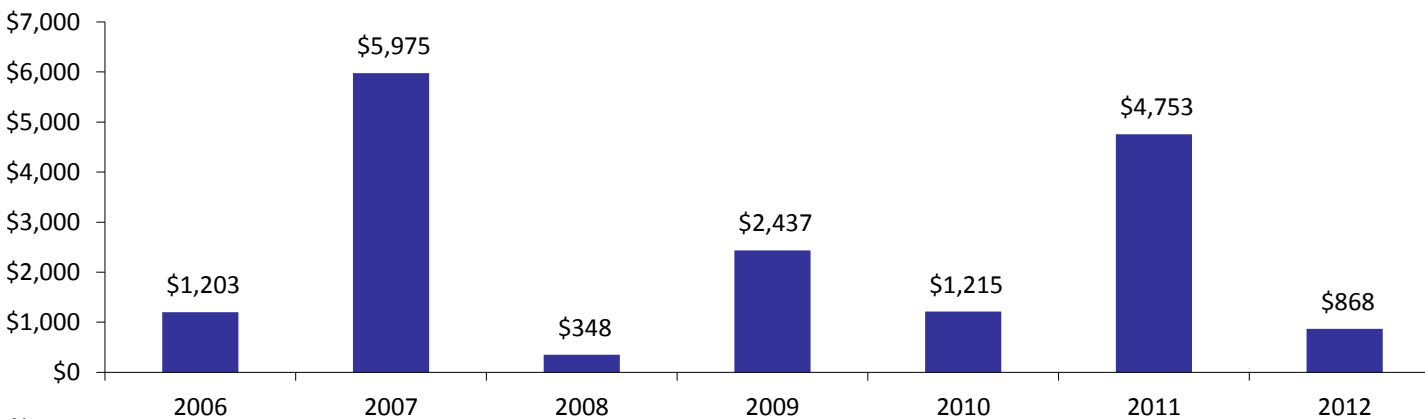
This measure reflects the annual financial impact on the City from its risk generating activities performed in a manner that results in liability.

The number of new adverse lawsuits filed is another gauge of the City’s success in preventing liability exposure. While a significant majority of suits are resolved in the City’s favor with no financial exposure, the number of new adverse suits opened does provide a barometer for evaluating risk management activities. Please note, the data provided is by date of payout, not date of incident.

What will it take to achieve the targets?

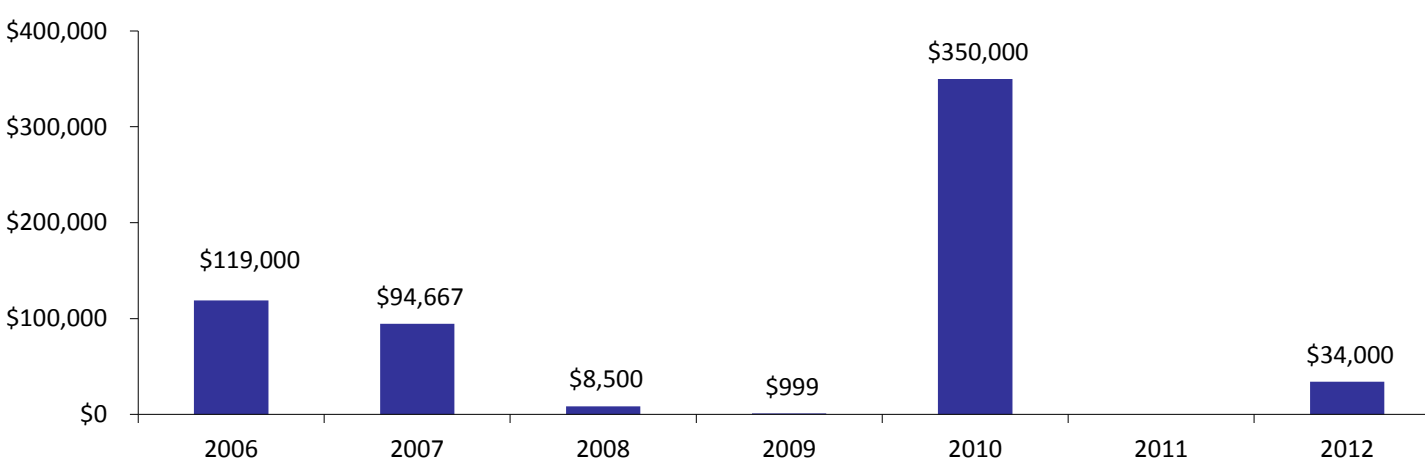
Commitment from City officials, department heads and staff to identify and correct liability generating behavior by City officials, department heads and staff; proactive involvement by CAO to analyze trends and work with the City’s Risk Management Office and departments on solutions.

Police - Total Liability Payouts
(in thousands)



Notes:
2007 Duy Ngo Case (\$4.5M)
2011 Felder Case (\$2.2 M)

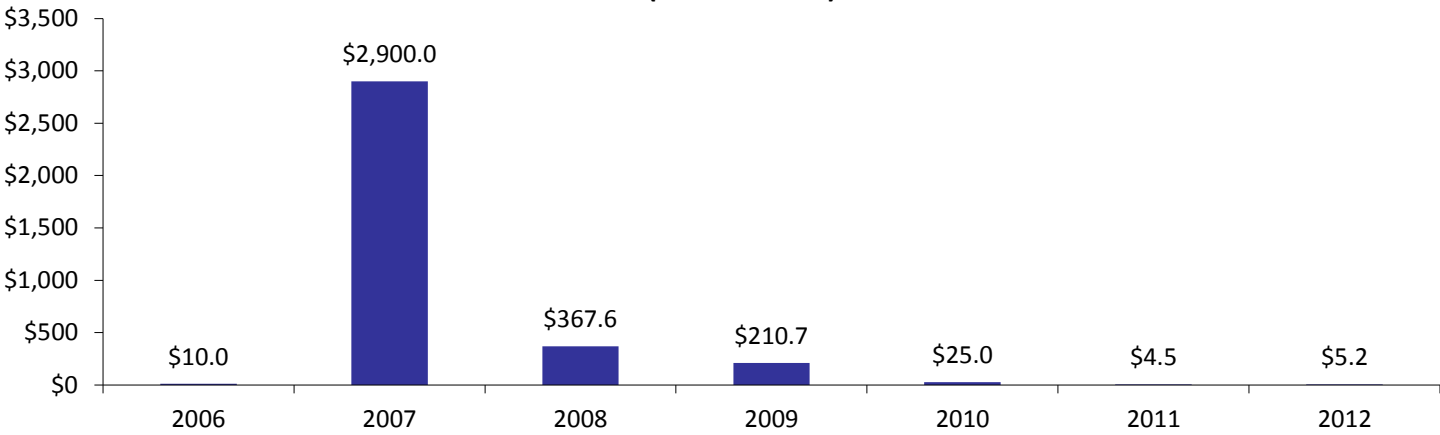
Fire - Total Liability Payouts



Note: 2010 Kristina Lemon (\$350,000)

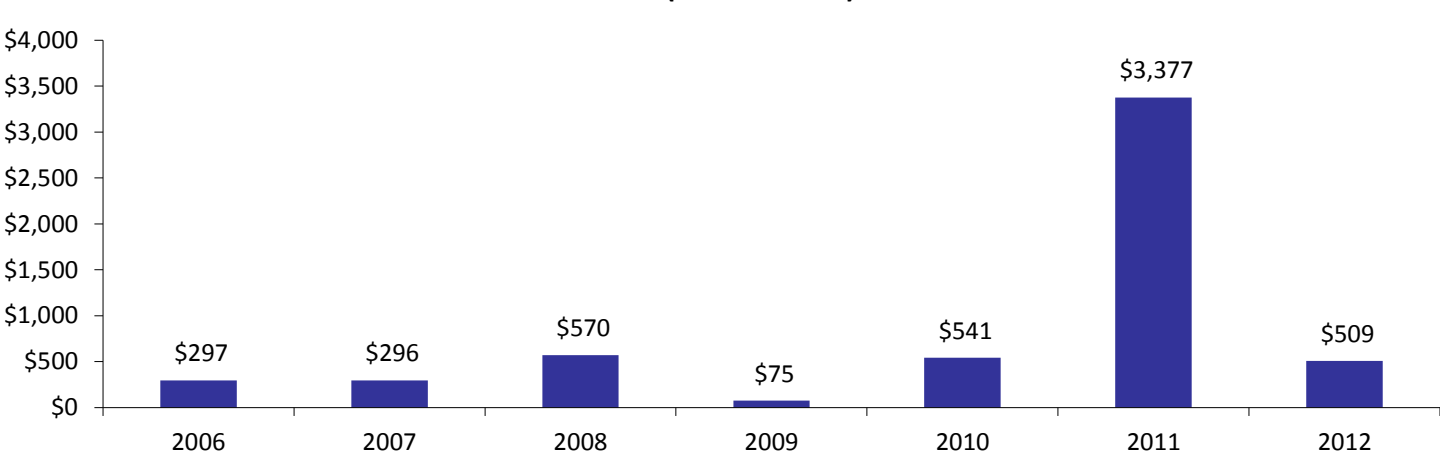
Additional Data on Next Page...

Regulatory Services - Total Liability Payouts
(in thousands)



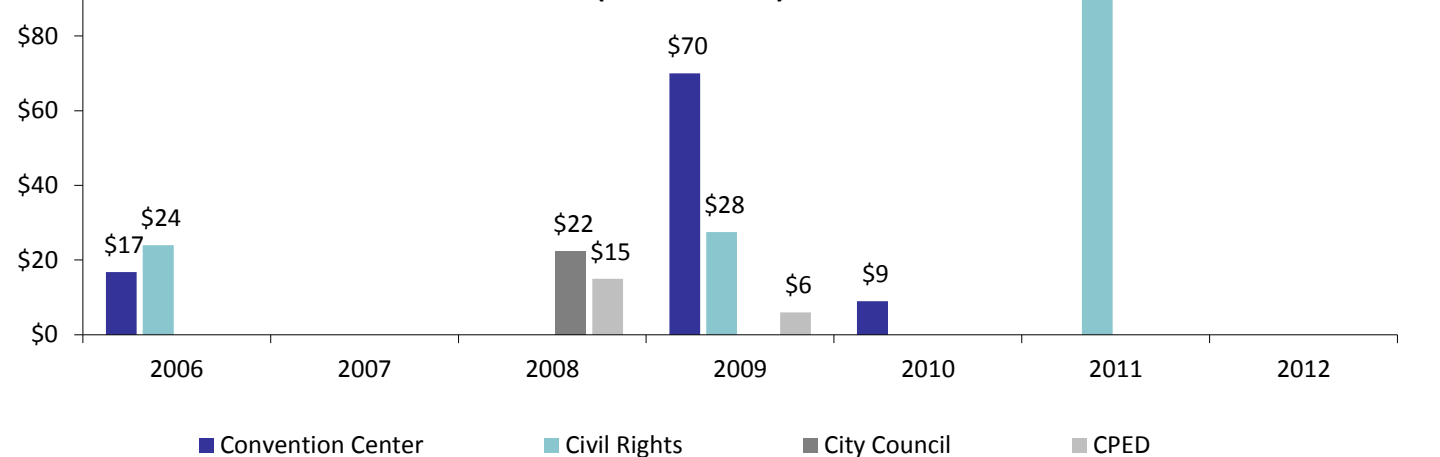
Note: 2007 Metro Produce Case (\$2.3M)

Public Works - Total Liability Payouts
(in thousands)

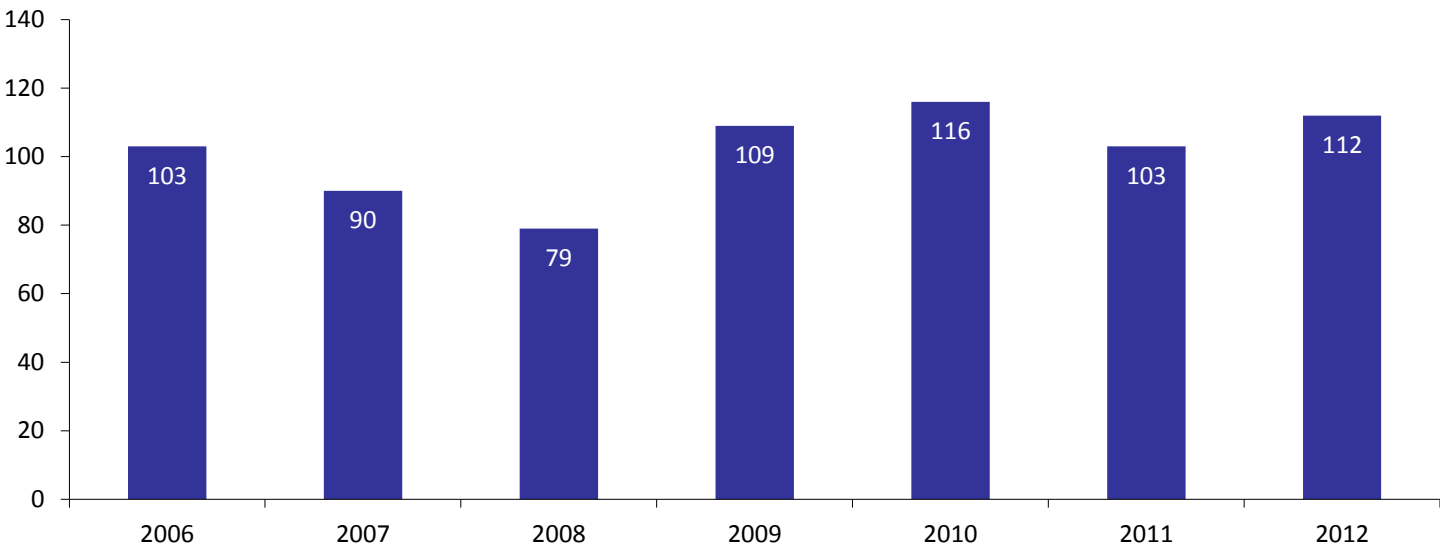


Note: 2011 Pall Corporation (\$3.2M)

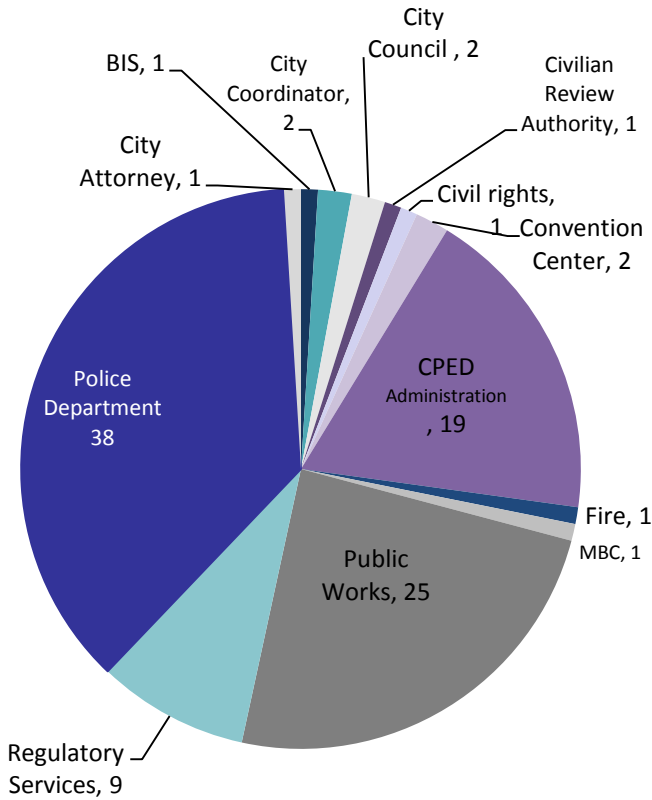
Liability Payouts Resulting From Certain of the City's Risk Generating Activities;
Other Departments
(in thousands)



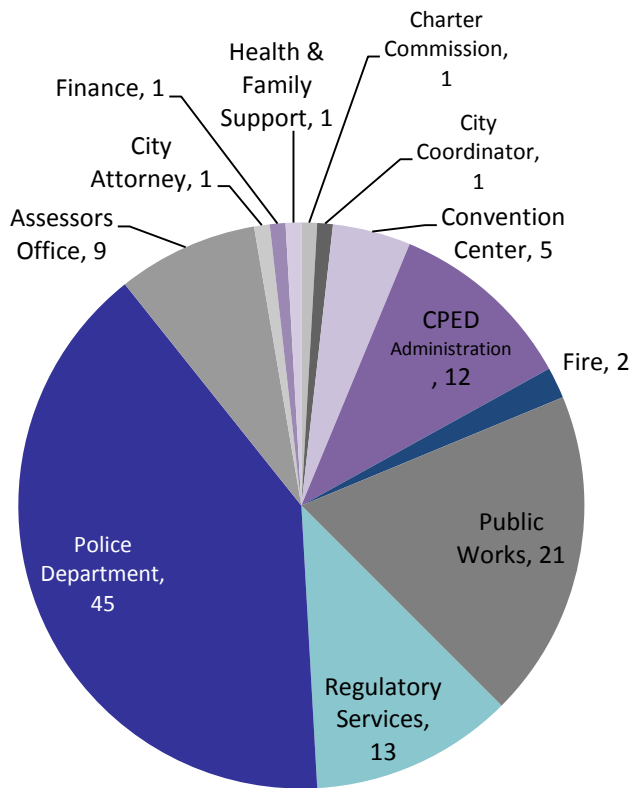
New Adverse Lawsuits Filed



New Lawsuits by Department
2011



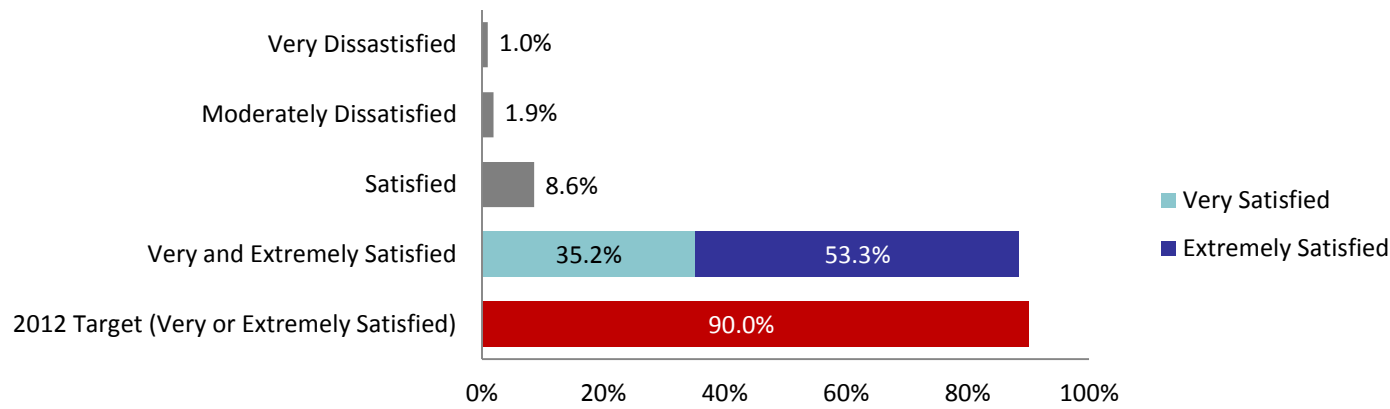
New Lawsuits by Department
2012



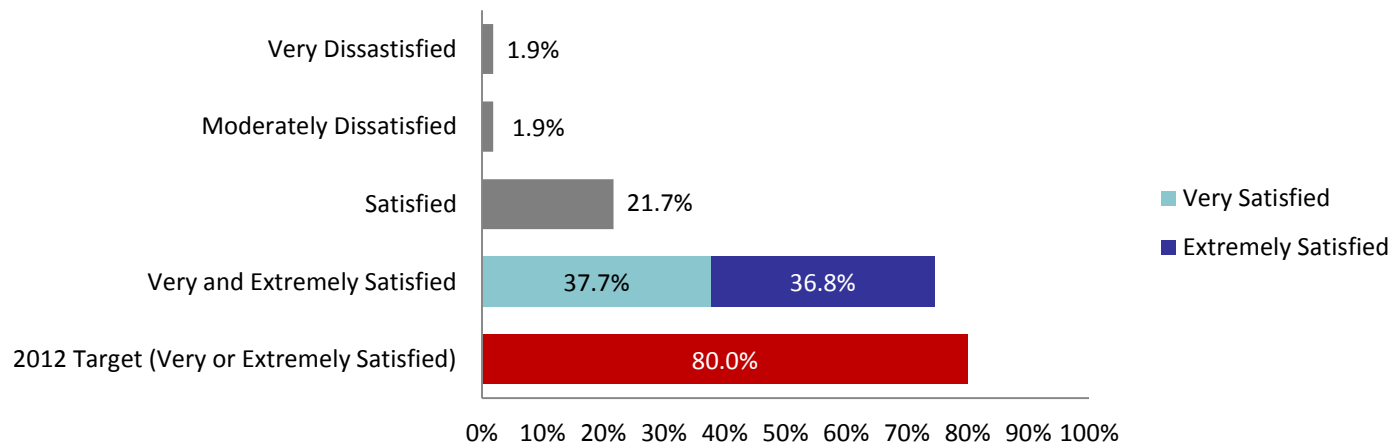
Note: A number of the suits, for example those involving CPED, are related to matters such as condemnation, property title clearance and the like, that are not necessarily reflective of any risk management concerns for the City.

**2011 Civil Division Survey Measures
(114 Respondents)**

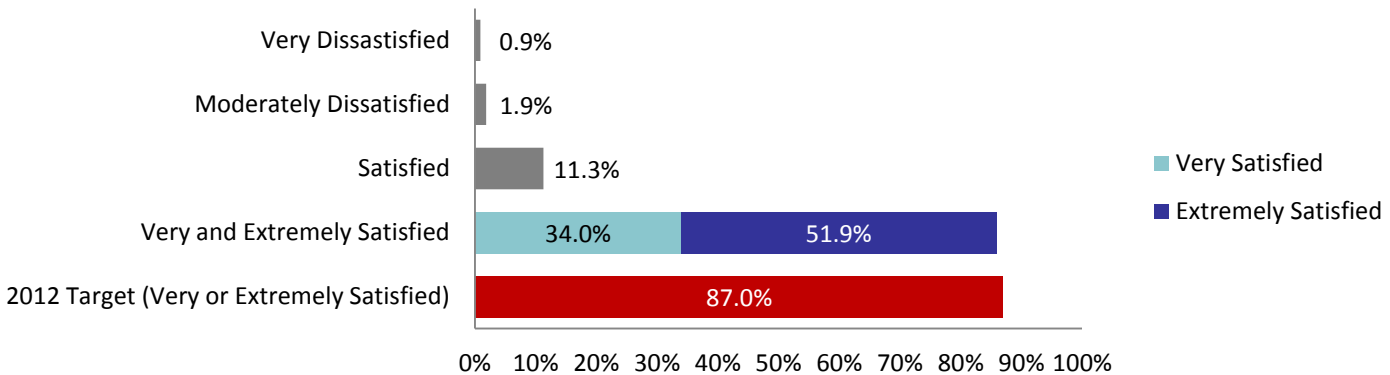
Do the Civil Division attorneys working with your department understand the work performed by your department and the surrounding legal and regulatory environment?



Is the legal work provided in a timely and responsive manner?



Are you satisfied with the skill level of the attorneys performing the work for your department?



Why are these measures important?

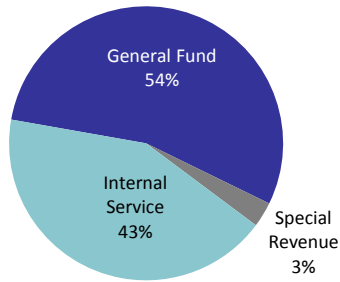
The CAO conducted a survey in December 2011 of eighteen City departments, with 114 responses from city management and director-level personnel. The Civil Division of the CAO is a service department for the City. Client confidence and satisfaction with the knowledge, skill and timeliness of CAO services is critical to our success.

What will it take to achieve the targets?

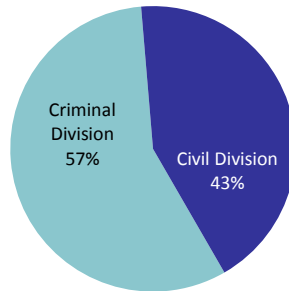
We will conduct the survey on an annual basis with individual department follow-up meetings. Achieving targets will require maintaining engaged, skilled attorneys and staff, adequate staffing levels, continuing skills training and education, regular communication with City clients and responsiveness to client complaints and concerns.

Management Dashboard: City Attorney

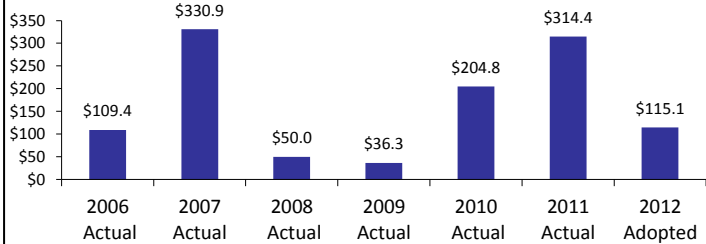
Expenditures by Fund: \$14.18 million



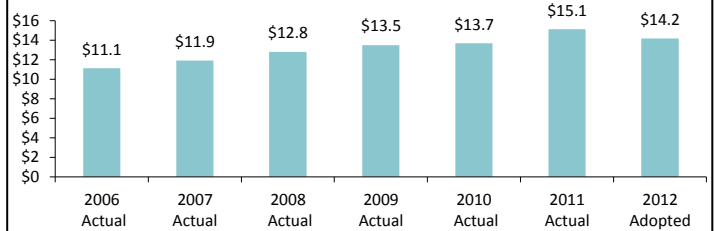
Expenditures by Division: \$14.18 million



Revenue 2006-2012 (in thousands)



Expenditure 2006-2012 (in millions)



Loss Prevention Data

Year	2008	2009	2010	2011	2012
Workers Comp	\$2,427	\$2,394	\$340	\$28,721	\$18,980
Liability Claims	\$0	\$0	\$199	\$0	\$0

Average Sick Days Taken per Employee (*)

Year	2008	2009	2010	2011	2012
Days	8.3	8.2	9.3	9.1	7.4

Workforce Demographics

Year	12/31/2008	12/31/2011	12/31/2012
% Female	71%	71%	72%
% Employee of Color	28%	27%	25%
# of Employees	99	97	100

Overtime Costs

Year	2008	2009	2010	2011	2012
Hours	92.5	81.0	47.5	387.2	499.0
Cost	\$3,492	\$3,164	\$1,829	\$23,743	\$28,231

Employee Turnover and Savings

Year end	2008	2009	2010	2011	2012
Turnover	8.00%	5.08%	4.06%	6.15%	4.06%

Positions Vacancies

Year end	2008	2009	2010	2011	2012
Percent of Total	8.30%	8.00%	6.00%	7.00%	3.00%

Performance Reviews Past Due in HRIS

As of 1/24/2013	96%
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Retirement Projections

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Number	9	3	1	3	3	1	3	3	4	2	2
% of employees	9.00%	3.00%	1.00%	3.00%	3.00%	1.00%	3.00%	3.00%	4.00%	2.00%	2.00%

Notes:

Average Sick Days taken per Employee

- A) Above data is based on the payroll calendar year not the calendar year.
- B) Does **not** include employees who have separated from the **department** and may have used sick leave during the payroll year.
 - B*) Does **not** include employees who were in a suspended ("S") Pay Status at the end of a given payroll year.
 - B**) **Includes** employees who are in a paid ("P") Leave of Absence status and an unpaid Leave of Absence status ("L").
- C) Employees can use more sick leave than earned in a given year (Assuming that they have accrued leave that has carried over).
- D) Work Days Lost = Hours Used/Eight (8)
- E) Usage Rate = Hours Used/Hours Earned
- F) Overstated as it assumes everyone is FT and worked the entire year.
- G) 2009 had 27 pay periods

Overtime Costs

- A) OT amount - Fiscol. Reconciled with CRS and Data ware house queries.
- B) Hours - based on HRIS management reports with payroll data

Workforce Demographics

- A) Includes employee counts at year's end for 2003 and 2007.
- B) Only includes active FT regular employees.

Employee Turnover and Savings

- A) Turnover Savings= \$Budgeted (personnel) - \$Actual (personnel)

Position Vacancies

- A) Includes only budgeted positions.

Retirement Projections

